

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY T. HAMPTON,

Plaintiff,

vs.

BRIAN CONNETT, RANDY BULLOCH,
 DWIGHT NEVENS, GREG COX, and
 JENNIFER NASH,

Defendants.

Case No.: 2:14-cv-01110-GMN-VCF

ORDER

Pending before the Court are the following four outstanding motions: Motion for Summary Judgment (ECF No. 14) filed by Brian Connett, Dwight Nevens, Greg Cox, and Jennifer Nash (“Defendants”)¹, Defendants’ Motion for Leave to file Supplement to Motion for Summary Judgment (ECF No. 36), Motion to Extend Time to file a Response (ECF No. 41) filed by Anthony T. Hampton (“Plaintiff”), and Defendants’ Motion to Extend Time to Reply (ECF No. 47).

Defendants filed their initial Motion for Summary Judgment on March 6, 2015. However, the Scheduling Order setting the deadline for discovery and dispositive motions was not even entered until April 16, 2015, setting the discovery deadline on July 15, 2015 and the motions deadline on August 14, 2015. (*See* ECF No. 23). Courts must grant “summary judgment, *after adequate time for discovery* and upon motion, against a party who fails to make a showing sufficient to establish the existence of an element essential to that party’s case, and on which that party will bear the burden of proof at trial.” *Celotex Corp. v. Catrett*, 477 U.S.

¹ Summons was issued for Defendant Randy Bulloch on June 22, 2015. (ECF No. 31). Defendant Bulloch does not have counsel and has not filed anything at this point.


1 317, 322 (1986) (emphasis added). Therefore, Defendants' Motion for Summary Judgment
2 was filed prematurely. Defendants even admit in their Motion for Leave to file Supplement to
3 Motion for Summary Judgment that they filed this Motion for Summary Judgment "[p]rior to
4 the start of discovery in the present case," and it was this premature filing that led to their later
5 request to supplement their motion. (Mot. for Leave to File Supp. at 3, ECF No. 36).
6 Accordingly, the Court will deny both the Motion for Summary Judgment and the Motion for
7 Leave to file Supplement without prejudice and provide the parties an opportunity to file one
8 complete motion.

9 **IT IS HEREBY ORDERED** that Defendants' Motion for Summary Judgment (ECF
10 No. 14) and Motion for Leave to file Supplement to Motion for Summary Judgment (ECF No.
11 36) are **DENIED without prejudice**.

12 **IT IS FURTHER ORDERED** that all parties shall have 30 days from the date of this
13 order to file new dispositive motions.

14 **IT IS FURTHER ORDERED** that Plaintiff's Motion to Extend Time to file a
15 Response (ECF No. 41) and Defendants' Motion to Extend Time to Reply (ECF No. 47) are
16 both **DENIED as moot**.

17 **DATED** this 23 day of October, 2015.

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21 Gloria M. Navarro, Chief Judge
22 United States District Judge
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